



CHRIS CHRISTIE  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Veterinary Medical Examiners  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



PAULA T. DOW  
Attorney General

KIM GUADAGNO  
Lt. Governor

September 26, 2011

THOMAS R. CALCAGNI  
Director

**BY CERTIFIED AND REGULAR MAIL**

H. William Francisco, D.V.M.  
323 Mulberry Hill Road  
Bartbow, Pennsylvania 19504

FILED by the  
NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS  
on this date of: 10/18/11  
Mailing Address:  
P.O. Box 45020  
Newark, NJ 07101  
(973) 504-6500

Re: **I/M/O H. WILLIAM FRANCISCO, D.V.M.**  
**Unlicensed Practice of Veterinary Medicine**

Re: **OFFER OF SETTLEMENT IN LIEU OF FORMAL ACTION**

Dear Dr. Francisco:

The New Jersey State Board of Veterinary Medical Examiners (hereinafter referred to as the "Board") received information which indicated that you are offering to and/or administering vaccinations and performing Coggins testing on horses in the State of New Jersey. Since its' records indicate that you are not licensed by the Board as a veterinarian in New Jersey, and thereby authorized to perform these veterinary medical services, the Board has concluded that your conduct of administering vaccinations and performing Coggins testing in this State constitutes the unlicensed practice of veterinary medicine. These allegations would support the initiation of civil or administrative proceedings seeking injunctive and other relief based on the unlicensed practice of veterinary medicine in this State, as authorized by N.J.S.A. 45:16-9 and N.J.S.A. 45:1-18.2.

Prior to commencing formal action, the Board is offering you an opportunity to settle this matter. Please review the terms contained in this letter and if you agree, sign the attached "Acknowledgment and Agreement" and return it to the Board. This letter and the signed Acknowledgment and Agreement will be considered the equivalent of an Order of the Board and will be public information. Once signed, failure to comply with the terms of this agreement will result in further action and additional sanctions.

By resolving this matter through signing the Acknowledgment and Agreement, you will:

1. Admit that you engaged in the unlicensed practice of veterinary medicine in New Jersey and agree to immediately cease and desist from practicing veterinary medicine or otherwise holding yourself out as a veterinarian authorized to administer vaccinations, and/or provide any testing, including Coggins testing, to animals in this State. This includes offering or performing any services defined as the practice of veterinary medicine in the Veterinary Medical Practice Act, specifically, N.J.S.A. 45:16-8.1, unless and until you hold a valid and active license issued by the Board.
2. Agree to pay a civil penalty of \$5,000.00, payment of which shall be stayed for a period of five (5) years. If no further violations are found during that period, the penalty shall be rescinded. You further agree that if during the period, you are found to have violated the terms of this agreement or any provisions of the Veterinary Medical Practice Act or regulations promulgated under that Act, the \$5,000.00 civil penalty will become due. You acknowledge and understand the Board will pursue additional sanctions, including enhanced penalties, costs, attorney's fees and contempt based on any new violation.
3. Agree that should you make an application for licensure, you will appear before the Board to discuss your activities prior to licensure. You further agree and understand that should your application for a license be granted, the Board specifically reserves the right to impose restrictions on your practice as may be necessary to ensure the public health, safety, and welfare.

If you agree to these terms, sign the Acknowledgment and Agreement and return it to the Board office for filing. Once filed, a copy will be forwarded to you. You may wish to consult with counsel regarding this offer of settlement.

This settlement offer will remain open to you for fifteen (15) days from the date of this letter. In the event that no response is received from you on or before **October 31, 2011**, the Board will deem its offer rejected and the offer will be withdrawn.

As stated above, should the Board file a civil or administrative action, it will seek penalties in excess of those offered in settlement and may seek an order requiring you to reimburse certain monies and/or requiring you to pay costs and attorney's fees.

Should you have any questions, concerning this letter or the settlement offer herein, I suggest you contact Deputy Attorney General Olga E. Bradford, who may be reached at (973) 648-3696.

Very truly yours,

NEW JERSEY STATE BOARD OF  
VETERINARY MEDICAL EXAMINERS

By: 

FRANCINE WIDRICH  
Acting Executive Director

DATED:

cc: Deputy Attorney General Olga E. Bradford

**ACKNOWLEDGMENT AND AGREEMENT**

I, **H. WILLIAM FRANCISCO, D.V.M.**, admit that I engaged in the practice of veterinary medicine in New Jersey without having obtained a license to practice in this State as detailed in the letter of September 26, 2011.

I agree to cease and desist from engaging in the practice of veterinary medicine or providing veterinary services unless and until I hold a valid and active license issued by the Board.

I agree that if I engage in the practice of veterinary medicine without a license to practice veterinary medicine, I may be subject to sanctions, including injunctive relief, attorney's fees, and costs.

I am aware that by signing this Acknowledgment and Agreement, I am certifying that I have read and understand the settlement proposal offered in the letter from the New Jersey State Board of Veterinary Medical Examiners dated September 26, 2011. I understand that by signing this document, I am waiving any rights I may have to defend myself against the charges of wrongdoing. I am also aware that the action taken against me by the Board is a matter of public record, and that the letter and the Acknowledgment and Agreement are public documents.

  
**H. WILLIAM FRANCISCO, D.V.M.**

10-4-11

Date